

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

PETER JAMES SMITH,

Plaintiff,

v.

THE MONTGOMERY POLICE
DEPARTMENT,
TODD STRANGE, Montgomery
Mayor,
CHRISTOPHER MURPHY,
Public Safety Director,
ERNEST N. FINLEY, JR., and
THE CITY OF MONTGOMERY,
ALABAMA,

Defendants.

CASE NO. 2:16-CV-156-WKW

ORDER

On February 27, 2017, the Magistrate Judge filed a Recommendation to which no timely objections have been filed. (Doc. # 24.) Upon an independent review of the record and upon consideration of the Recommendation, it is ORDERED as follows:

1. The Recommendation (Doc. # 24) is ADOPTED.
2. The claims of Plaintiff Peter James Smith against Defendants Montgomery Police Department, Todd Strange, Christopher Murphy, Ernest N. Finley, Jr., and the City of Montgomery, Alabama, are DISMISSED with prejudice pursuant to

Rule 41(b) of the Federal Rules of Civil Procedure. The court specifically finds that Plaintiff Peter J. Smith has established a clear record of failing to comply with court orders. Further, because lesser sanctions than dismissal and numerous accommodations have failed to gain Plaintiff's compliance with court orders and deadlines, the court finds that lesser sanctions than dismissal are insufficient.

A separate final judgment will be entered.

DONE this 3rd day of April, 2017.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE